

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

BYRON JOSEPH CONNER

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CASE NUMBER 1:19-CR-00093-MAC

**REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

On February 13, 2025, the court conducted a hearing to consider the government's petition to revoke the supervised release of Defendant Byron Conner. The government was represented by Allen Hurst, Assistant United States Attorney for the Eastern District of Texas, and Defendant was represented by Jon Hyatt.

Defendant originally pled guilty to the offense of Possession of a Firearm by a Prohibited person, a Class C felony. The United States Sentencing Guideline range for this offense, based on a total offense level of 15 and a criminal history category of III, was 24 to 30 months. The offense carried a maximum imprisonment term of ten years. On July 22, 2020, District Judge Marcia Crone sentenced Defendant to 26 months imprisonment followed by three years of supervised release, subject to the standard conditions of release, plus special conditions to include financial disclosure, financial restrictions, drug aftercare, mental health treatment, and a \$100.00 special assessment fee. On November 25, 2024, Defendant completed his term of imprisonment and began his term of supervised release.

Under the terms of supervised release, Defendant was required to refrain from the use of controlled substances. In Allegation 1 of its petition, the government alleges that Defendant violated the conditions of his supervised release when he tested positive for marijuana on December 11, 2024 and January 3, 2025. If the court finds by a preponderance of the evidence that Defendant violated the conditions of supervised release by using marijuana, Defendant will have committed a Grade C violation. U.S.S.G. § 7B1.1(a). Upon a finding of a Grade C violation, the court may revoke the term of supervision. U.S.S.G. § 7B1.3(a)(2). Considering Defendant's criminal history category of III, the Guideline imprisonment range for a Grade C violation is 5 to 11 months. U.S.S.G. § 7B1.4(a).

At the hearing, the parties indicated that they had come to an agreement to resolve the petition whereby Defendant would plead true to violating the conditions of supervision as alleged in Allegation 1 of the government's petition. In exchange, the government agreed to recommend to the court a sentence of 10 months imprisonment, with no supervised release to follow.

The court therefore **RECOMMENDS** that Defendant's plea of true be accepted and he be sentenced to a term of 10 months imprisonment, with no supervised release to follow. The court further **RECOMMENDS** that Defendant serve his sentence at FCI Bastrop, Texas. The parties waived their right to objections so this matter shall be immediately presented to the District Judge for consideration.

So ORDERED and SIGNED this 13th day of February, 2025.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE